

III. NATIONAL PARKS

1. Death Valley

PUBLIC LAW 102-381—OCT. 5, 1992

106 STAT. 1374

Public Law 102-381
102d Congress

An Act

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes.

Oct. 5, 1992
[H.R. 5503]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1993, and for other purposes, namely:*Department of
the Interior and
Related
Agencies
Appropriations
Act, 1993.

TITLE I—DEPARTMENT OF THE INTERIOR

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NATIONAL PARK SERVICE

106 STAT. 1381

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ADMINISTRATIVE PROVISIONS

106 STAT. 1383

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106 STAT. 1384

*. . . Provided further, That in fiscal year 1993 and thereafter, the National Park Service may use helicopters and motorized equipment at Death Valley National Monument for removal of feral burros and horses: . . .*16 USC 1a-1
note.

* * * * *

Approved October 5, 1992.

106 STAT. 1421

LEGISLATIVE HISTORY—H.R. 5503:

HOUSE REPORTS: Nos. 102-626 (Comm. on Appropriations) and 102-901 (Comm. of Conference).

SENATE REPORTS: No. 102-345 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 138 (1992):

July 22, 23, considered and passed House.

Aug. 4-6, considered and passed Senate, amended.

Sept. 30, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):

Oct. 5, Presidential statement.

108 STAT. 4471

PUBLIC LAW 103–433—OCT. 31, 1994

Public Law 103–433
103d Congress

An Act

<div style="border-bottom: 1px solid black; padding-bottom: 5px;"> Oct. 31, 1994 [S. 21] </div>	To designate certain lands in the California Desert as wilderness, to establish the Death Valley and Joshua Tree National Parks, to establish the Mojave National Preserve, and for other purposes.
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Conservation. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

California Desert Protection Act of 1994.
16 USC 410aaa note.
Short title.

SECTION 1. SHORT TITLE.

Sections 1 and 2, and titles I through IX of this Act may be cited as the “California Desert Protection Act of 1994”.

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108 STAT. 4485
Short title.
Ante, p. 4471.

TITLE III—DEATH VALLEY NATIONAL PARK

16 USC 410aaa.

SEC. 301. FINDINGS.

The Congress hereby finds that—

(1) proclamations by Presidents Herbert Hoover in 1933 and Franklin Roosevelt in 1937 established and expanded the Death Valley National Monument for the preservation of the unusual features of scenic, scientific, and educational interest therein contained;

(2) Death Valley National Monument is today recognized as a major unit of the National Park System, having extraordinary values enjoyed by millions of visitors;

(3) the monument boundaries established in the 1930's exclude and thereby expose to incompatible development and inconsistent management, contiguous Federal lands of essential and superlative natural, ecological, geological, archeological, paleontological, cultural, historical and wilderness values;

(4) Death Valley National Monument should be substantially enlarged by the addition of all contiguous Federal lands of national park caliber and afforded full recognition and statutory protection as a National Park; and

(5) the wilderness within Death Valley should receive maximum statutory protection by designation pursuant to the Wilderness Act.

PUBLIC LAW 103-433—OCT. 31, 1994

108 STAT. 4485

SEC. 302. ESTABLISHMENT OF DEATH VALLEY NATIONAL PARK.

16 USC
410aaa-1.

There is hereby established the Death Valley National Park (hereinafter in this title referred to as the “park”) as generally depicted on twenty-three maps entitled “Death Valley National Park Boundary and Wilderness—Proposed”, numbered in the title one through twenty-three, and dated July 1993 or prior, which shall be on file and available for public inspection in the offices of the Superintendent of the park and the Director of the National Park Service, Department of the Interior. The Death Valley National Monument is hereby abolished as such, the lands and interests therein are hereby incorporated within and made part of the new Death Valley National Park, and any funds available for purposes of the monument shall be available for purposes of the park.

16 USC 431 note.

108 STAT. 4486

SEC. 303. TRANSFER AND ADMINISTRATION OF LANDS.

16 USC
410aaa-2.

Upon enactment of this title, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management depicted in the maps described in section 302 of this title, without consideration, to the administrative jurisdiction of the National Park Service for administration as part of the National Park System, and the boundary of the park shall be adjusted accordingly. The Secretary shall administer the areas added to the park by this title in accordance with the provisions of law generally applicable to units of the National Park System, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2–4).

SEC. 304. MAPS AND LEGAL DESCRIPTION.

16 USC
410aaa-3.

Within six months after the enactment of this title, the Secretary shall file maps and a legal description of the park designated under this title with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives. Such maps and legal description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such legal description and in the maps referred to in section 302. The maps and legal description shall be on file and available for public inspection in the offices of the Superintendent of the park and the Director of the National Park Service, Department of the Interior.

SEC. 305. WITHDRAWAL.

16 USC
410aaa-4.

Subject to valid existing rights, all Federal lands within the park are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and mineral materials, and all amendments thereto.

108 STAT. 4486

PUBLIC LAW 103-433—OCT. 31, 1994

16 USC
410aaa-5.

SEC. 306. GRAZING.

(a) IN GENERAL.—The privilege of grazing domestic livestock on lands within the park shall continue to be exercised at no more than the current level, subject to applicable laws and National Park Service regulations.

(b) SALE OF PROPERTY.—If a person holding a grazing permit referred to in subsection (a) informs the Secretary that such permittee is willing to convey to the United States any base property with respect to which such permit was issued and to which such permittee holds title, the Secretary shall make the acquisition of such base property a priority as compared with the acquisition of other lands within the park, provided agreement can be reached concerning the terms and conditions of such acquisition. Any such base property which is located outside the park and acquired as a priority pursuant to this section shall be managed by the Federal agency responsible for the majority of the adjacent lands in accordance with the laws applicable to such adjacent lands.

108 STAT. 4487

6 USC
410aaa-6.
Establishment.

SEC. 307. DEATH VALLEY NATIONAL PARK ADVISORY COMMISSION.

(a) The Secretary shall establish an Advisory Commission of no more than fifteen members, to advise the Secretary concerning the development and implementation of a new or revised comprehensive management plan for Death Valley National Park.

(b)(1) The advisory commission shall include an elected official for each County within which any part of the park is located, a representative of the owners of private properties located within or immediately adjacent to the park, and other members representing persons actively engaged in grazing and range management, mineral exploration and development, and persons with expertise in relevant fields, including geology, biology, ecology, law enforcement, and the protection and management of National Park resources and values.

(2) Vacancies in the advisory commission shall be filled by the Secretary so as to maintain the full diversity of views required to be represented on the advisory commission.

(c) The Federal Advisory Committee Act shall apply to the procedures and activities of the advisory commission.

(d) The advisory commission shall cease to exist ten years after the date of its establishment.

Termination
date.

16 USC
410aaa-7.

SEC. 308. BOUNDARY ADJUSTMENT.

In preparing the maps and legal descriptions required by sections 304 and 602 of this Act, the Secretary shall adjust the boundaries of the Death Valley National Park and Death Valley National Park Wilderness so as to exclude from such National Park and Wilderness the lands generally depicted on the map entitled "Porter Mine (Panamint Range) Exclusion Area" dated June 1994.

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PUBLIC LAW 103-433—OCT. 31, 1994

108 STAT. 4496

TITLE VI—NATIONAL PARK SYSTEM WILDERNESS

Short title.
Ante, p. 4471.

SEC. 601. DESIGNATION OF WILDERNESS.

16 USC 1132
note.

(a) In furtherance of the purposes of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1311 et seq.), the following lands within the units of the National Park System designated by this Act are hereby designated as wilderness, and therefore, as components of the National Wilderness Preservation System:

(1) Death Valley National Park Wilderness, comprising approximately three million one hundred fifty-eight thousand thirty-eight acres, as generally depicted on twenty-three maps entitled "Death Valley National Park Boundary and Wilderness", numbered in the title one through twenty-three, and dated October 1993 or prior, and three maps entitled "Death Valley National Park Wilderness", numbered in the title one through three, and dated July 1993 or prior, and which shall be known as the Death Valley Wilderness.

* * * * *

(b) **POTENTIAL WILDERNESS.**—Upon cessation of all uses prohibited by the Wilderness Act and publication by the Secretary in the Federal Register of notice of such cessation, potential wilderness, comprising approximately six thousand eight hundred and forty acres, as described in "1988 Death Valley National Monument Draft General Management Plan Draft Environmental Impact Statement" (hereafter in this title referred to as "Draft Plan") and as generally depicted on map in the Draft Plan entitled "Wilderness Plan Death Valley National Monument", dated January 1988, and which shall be deemed to be a part of the Death Valley Wilderness as designated in paragraph (a)(1). Lands identified in the Draft Plan as potential wilderness shall be managed by the Secretary insofar as practicable as wilderness until such time as said lands are designated as wilderness.

SEC. 602. FILING OF MAPS AND DESCRIPTIONS.

Maps and a legal description of the boundaries of the areas designated in section 601 of this title shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior. As soon as practicable after the date of enactment of this title, maps and legal descriptions of the wilderness areas shall be filed with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives, and such maps and legal descriptions shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such maps and legal descriptions.

108 STAT. 4497

SEC. 603. ADMINISTRATION OF WILDERNESS AREAS.

The areas designated by section 601 of this title as wilderness shall be administered by the Secretary in accordance with the applicable provisions of the Wilderness Act governing areas designated by that title as wilderness, except that any reference in such provision to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title, and where appropriate, and reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

108 STAT. 4497

PUBLIC LAW 103-433—OCT. 31, 1994

Short title.
Ante, p. 4471.

TITLE VII—MISCELLANEOUS
 PROVISIONS

108 STAT. 4498
 16 USC
 410aaa-75.

* * * * *
 SEC. 705. NATIVE AMERICAN USES AND INTERESTS.

(a) ACCESS.—In recognition of the past use of the National Park System units and wilderness areas designed under this Act by Indian people for traditional cultural and religious purposes, the Secretary shall ensure access to such park system units and wilderness areas by Indian people for such traditional cultural and religious purposes. In implementing this section, the Secretary, upon the request of an Indian tribe or Indian religious community, shall temporarily close to the general public use of one or more specific portions of the park system unit or wilderness area in order to protect the privacy of traditional cultural and religious activities in such areas by Indian people. Any such closure shall be made to affect the smallest practicable area for the minimum period necessary for such purposes. Such access shall be consistent with the purpose and intent of Public Law 95-341 (42 U.S.C. 1996) commonly referred to as the “American Indian Religious Freedom Act”, and with respect to areas designated as wilderness, the Wilderness Act (78 Stat. 890; 16 U.S.C. 1131).

(b) STUDY.—(1) The Secretary, in consultation with the Timbisha Shoshone Tribe and relevant Federal agencies, shall conduct a study, subject to the availability of appropriations, to identify lands suitable for a reservation for the Timbisha Shoshone Tribe that are located within the Tribe’s aboriginal homeland area within and outside the boundaries of the Death Valley National Monument and the Death Valley National Park, as described in title III of this Act.

Reports.

(2) Not later than 1 year after the date of enactment of this title, the Secretary shall submit a report to the Committee on Energy and Natural Resources and the Committee on Indian Affairs of the United States Senate, and the Committee on Natural Resources of the United States House of Representatives on the results of the study conducted under paragraph (1).

16 USC
 410aaa-76.

SEC. 706. FEDERAL RESERVED WATER RIGHTS.

(a) Except as otherwise provided in section 204 of this Act, with respect to each wilderness area designated by this Act, Congress hereby reserves a quantity of water sufficient to fulfill the purposes of this Act. The priority date of such reserved water rights shall be the date of enactment of this Act.

(b) The Secretary and all other officers of the United States shall take all steps necessary to protect the rights reserved by this section, including the filing by the Secretary of a claim for the quantification of such rights in any present or future appropriate stream adjudication in the courts of the State of California in which the United States is or may be joined in accordance with section 208 of the Act of July 10, 1952 (66 Stat. 560, 43 U.S.C. 666), commonly referred to as the McCarran Amendment.

PUBLIC LAW 103-433—OCT. 31, 1994

108 STAT. 4498

(c) Nothing in this Act shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of California on or before the date of enactment of this Act.

(d) The Federal water rights reserved by this Act are specific to the wilderness area located in the State of California designated under this Act. Nothing in this Act related to the reserved Federal water rights shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation made thereto.

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Approved October 31, 1994.

108 STAT. 4525

LEGISLATIVE HISTORY—S. 21 (H.R. 518):

HOUSE REPORTS: Nos. 103-498 accompanying H.R. 518 (Comm. on Natural Resources) and 103-832 (Comm. of Conference).

SENATE REPORTS: No. 103-165 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 140 (1994):

Apr. 12, 13, considered and passed Senate.

May 17, June 10, 13, July 12-14, 27, H.R. 518 considered and passed House;

S. 21, amended, passed in lieu.

Oct. 6, House agreed to conference report.

Oct. 7, 8, Senate considered and agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 30 (1994):

Oct. 31, Presidential remarks and statement.

NOTE: See Appendix for additional administrative provisions.

2. Dry Tortugas

106 STAT. 3438

PUBLIC LAW 102-525—OCT. 26, 1992

Public Law 102-525
102d Congress

An Act

Oct. 26, 1992
[S. 2890]

To provide for the establishment of the Brown v. Board of Education National Historic Site in the State of Kansas, and for other purposes.

Civil rights.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

* * * * *

106 STAT. 3439
Florida.

TITLE II—DRY TORTUGAS NATIONAL PARK

16 USC 410xx.

SEC. 201. ESTABLISHMENT OF DRY TORTUGAS NATIONAL PARK.

(a) IN GENERAL.—In order to preserve and protect for the education, inspiration, and enjoyment of present and future generations nationally significant natural, historic, scenic, marine, and scientific values in South Florida, there is hereby established the Dry Tortugas National Park (hereinafter in this title referred to as the “park”).

106 STAT. 3440

(b) AREA INCLUDED.—The park shall consist of the lands, waters, and interests therein generally depicted on the map entitled “Boundary Map, Fort Jefferson National Monument”, numbered 364-90,001, and dated April 1980 (which is the map referenced by section 201 of Public Law 96-287). The map shall be on file and available for public inspection in the offices of the National Park Service, Department of the Interior.

16 USC 431 note.

(c) ABOLITION OF MONUMENT.—The Fort Jefferson National Monument is hereby abolished.

16 USC 410xx-1.

SEC. 202. ADMINISTRATION.

(a) IN GENERAL.—The Secretary shall administer the park in accordance with this title and with the provisions of law generally applicable to units of the national park system, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2, 3, and 4).

(b) MANAGEMENT PURPOSES.—The park shall be managed for the following purposes, among others:

(1) To protect and interpret a pristine subtropical marine ecosystem, including an intact coral reef community.

(2) To protect populations of fish and wildlife, including (but not limited to) loggerhead and green sea turtles, sooty terns, frigate birds, and numerous migratory bird species.

(3) To protect the pristine natural environment of the Dry Tortugas group of islands.

(4) To protect, stabilize, restore, and interpret Fort Jefferson, an outstanding example of nineteenth century masonry fortification.

(5) To preserve and protect submerged cultural resources.

(6) In a manner consistent with paragraphs (1) through (5), to provide opportunities for scientific research.

PUBLIC LAW 102-525—OCT. 26, 1992

106 STAT. 3440

SEC. 203. LAND ACQUISITION AND TRANSFER OF PROPERTY.

16 USC 410xx-2.

(a) IN GENERAL.—Within the boundaries of the park the Secretary may acquire lands and interests in land by donation or exchange. For the purposes of acquiring property by exchange with the State of Florida, the Secretary may, notwithstanding any other provision of law, exchange those Federal lands which were deleted from the park by the boundary modifications enacted by section 201 of the Act of June 28, 1980 (Public Law 96-287), and which are directly adjacent to lands owned by the State of Florida outside of the park, for lands owned by the State of Florida within the park boundary.

(b) UNITED STATES COAST GUARD LANDS.—When all or any substantial portion of lands under the administration of the United States Coast Guard located within the park boundaries, including Loggerhead Key, have been determined by the United States Coast Guard to be excess to its needs, such lands shall be transferred directly to the jurisdiction of the Secretary for the purposes of this title. The United States Coast Guard may reserve the right in such transfer to maintain and utilize the existing lighthouse on Loggerhead Key in a manner consistent with the purposes of the United States Coast Guard and the purposes of this title.

(c) ADMINISTRATIVE SITE.—The Secretary is authorized to lease or to acquire, by purchase, donation, or exchange, and to operate incidental administrative and support facilities in Key West, Florida, for park administration and to further the purposes of this title.

SEC. 204. AUTHORIZATION OF APPROPRIATIONS.

106 STAT. 3441
16 USC 410xx-3.

There are hereby authorized to be appropriated such sums as may be necessary to carry out the purposes of this title. Any funds available for the purposes of the monument shall be available for the purposes of the park, and authorizations of funds for the monument shall be available for the park.

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Approved October 26, 1992.

106 STAT. 3442

LEGISLATIVE HISTORY—S. 2890 (H.R. 5484):

HOUSE REPORTS: No. 102-1038 accompanying H.R. 5484 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 102-468 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 138 (1992):

Oct. 1, considered and passed Senate.

Oct. 4, 5, considered and passed House, amended.

Oct. 8, Senate concurred in House amendment.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):

Oct. 26, Presidential statement.

3. Everglades

108 STAT. 98

PUBLIC LAW 103-219—MAR. 9, 1994

Public Law 103-219
103d Congress

An Act

Mar. 9, 1994
[H.R. 3617]

To amend the Everglades National Park Protection and Expansion Act of 1989,
and for other purposes.

Conservation.
Florida.
Public lands.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 104 of the Everglades National Park Protection and Expansion Act of 1989 (16 U.S.C. 410r-8) is hereby amended by adding at the end thereof the following new subsection:

“(k)(1) Notwithstanding any other provision of this Act, the Secretary is authorized to use funds appropriated pursuant to this Act, including any available funds appropriated to the National Park Service for construction in the Department of the Interior and Related Agencies Appropriations Acts for fiscal years 1991 through 1994 for project modifications by the Army Corps of Engineers, in such amounts as determined by the Secretary, to provide Federal assistance to the State of Florida (including political subdivisions of the State) for acquisition of lands described in paragraph (4).

“(2) With respect to any lands acquired pursuant to this subsection, the Secretary may provide not more than 25 percent of the total cost of such acquisition.

“(3) All funds made available pursuant to this subsection shall be transferred to the State of Florida or a political subdivision of the State, subject to an agreement that any lands acquired with such funds will be managed in perpetuity for the restoration of natural flows to the park or Florida Bay.

108 STAT. 99

“(4) The lands referred to in paragraph (1) are those lands or interests therein adjacent to, or affecting the restoration of natural water flows to, the park or Florida Bay which are located east of the park and known as the Frog Pond, Rocky Glades Agricultural Area, and the Eight-and-One-Half Square-Mile Area.”.

Approved March 9, 1994.

LEGISLATIVE HISTORY—H.R. 3617:

SENATE REPORTS: No. 103-224 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 139 (1993): Nov. 22, considered and passed House.

Vol. 140 (1994): Feb. 11, considered and passed Senate.

4. Grand Canyon

PUBLIC LAW 102-575—OCT. 30, 1992

106 STAT. 4600

Public Law 102-575
102d Congress**An Act**To authorize additional appropriations for the construction of the Buffalo Bill Dam
and Reservoir, Shoshone Project, Pick-Sloan Missouri Basin Program, Wyoming.Oct. 30, 1992
[H.R. 429]*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,***SECTION 1. SHORT TITLE.**This Act may be cited as the “Reclamation Projects Authorization
and Adjustment Act of 1992.”Reclamation
Projects
Authorization
and Adjustment
Act of 1992.
Conservation.
43 USC 371 note.

* * * * *

106 STAT. 4669

TITLE XVIII—GRAND CANYON PROTECTIONGrand Canyon
Protection Act
of 1992.**SEC. 1801. SHORT TITLE.**This Act may be cited as the “Grand Canyon Protection Act of
1992”.**SEC. 1802. PROTECTION OF GRAND CANYON NATIONAL PARK.**(a) **IN GENERAL.**—The Secretary shall operate Glen Canyon Dam
in accordance with the additional criteria and operating plans
specified in section 1804 and exercise other authorities under
existing law in such a manner as to project, mitigate adverse
impacts to, and improve the values for which Grand Canyon
National Park and Glen Canyon National Recreation Area were
established, including, but not limited to natural and cultural
resources and visitor use.(b) **COMPLIANCE WITH EXISTING LAW.**—The Secretary shall
implement this section in a manner fully consistent with and subject
to the Colorado River Compact, the Upper Colorado River Basin
Compact, the Water Treaty of 1944 with Mexico, the decree of the
Supreme Court in *Arizona v. California*, and the provisions of the
Colorado River Storage Project Act of 1956 and the Colorado River
Basin Project Act of 1968 that govern allocation, appropriation,
development, and exportation of the waters of the Colorado River
Basin.(c) **RULE OF CONSTRUCTION.**—Nothing in this title alters the
purposes for which the Grand Canyon National Park or the Glen
Canyon National Recreation Area were established or affects the

authority and responsibility of the Secretary with respect to the management and administration of the Grand Canyon National Park and Glen Canyon National Recreation Area, including natural and cultural resources and visitor use, under laws applicable to those areas, including, but not limited to, the Act of August 25, 1916 (39 Stat. 535) as amended and supplemented.

SEC. 1803. INTERIM PROTECTION OF GRAND CANYON NATIONAL PARK.

(a) INTERIM OPERATIONS.—Pending compliance by the Secretary with section 1804, the Secretary shall, on an interim basis, continue to operate Glen Canyon Dam under the Secretary's announced interim operating criteria and the Interagency Agreement between the Bureau of Reclamation and the Western Area Power Administration executed October 2, 1991 and exercise other authorities under existing law, in accordance with the standards set forth in section 1802, utilizing the best and most recent scientific data available.

(b) CONSULTATION.—The Secretary shall continue to implement Interim Operations in consultation with—

(1) Appropriate agencies of the Department of the Interior, including the Bureau of Reclamation, United States Fish and Wildlife Service, and the National Park Service;

(2) The Secretary of Energy;

(3) The Governors of the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming;

(4) Indian Tribes; and

(5) The general public, including representatives of the academic and scientific communities, environmental organizations, the recreation industry, and contractors for the purchase of Federal power produced at Glen Canyon Dam.

(c) DEVIATION FROM INTERIM OPERATIONS.—The Secretary may deviate from Interim Operations upon a finding that deviation is necessary and in the public interest to—

(1) comply with the requirements of Section 1804(a);

(2) respond to hydrologic extremes or power system operation emergencies;

(3) comply with the standards set forth in Section 1802;

(4) respond to advances in scientific data; or

(5) comply with the terms of the Interagency Agreement.

(d) TERMINATION OF INTERIM OPERATIONS.—Interim operations described in this section shall terminate upon compliance by the Secretary with section 1804.

SEC. 1804. GLEN CANYON DAM ENVIRONMENTAL IMPACT STATEMENT;
LONG-TERM OPERATION OF GLEN CANYON DAM.

(a) FINAL ENVIRONMENTAL IMPACT STATEMENT.—Not later than 2 years after the date of enactment of this Act, the Secretary shall complete a final Glen Canyon Dam environmental impact statement, in accordance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.).

(b) AUDIT.—The Comptroller General shall—

(1) audit the costs and benefits to water and power users and to natural, recreational, and cultural resources resulting from management policies and dam operations identified pursuant to the environmental impact statement described in subsection (a); and

(2) report the results of the audit to the Secretary and the Congress.

Reports.

PUBLIC LAW 102-575—OCT. 30, 1992

106 STAT. 4671

(c) ADOPTION OF CRITERIA AND PLANS.—(1) Based on the findings, conclusions, and recommendations made in the environmental impact statement prepared pursuant to subsection (a) and the audit performed pursuant to subsection (b), the Secretary shall—

(A) adopt criteria and operating plans separate from and in addition to those specified in section 602(b) of the Colorado River Basin Project Act of 1968; and

(B) exercise other authorities under existing law, so as to ensure that Glen Canyon Dam is operated in a manner consistent with section 1802.

(2) Each year after the date of the adoption of criteria and operating plans pursuant to paragraph (1), the Secretary shall transmit to the Congress and to the Governors of the Colorado River Basin States a report, separate from and in addition to the report specified in section 602(b) of the Colorado River Basin Project Act of 1968 on the preceding year and the projected year operations undertaken pursuant to this Act.

Reports.

(3) In preparing the criteria and operating plans described in section 602(b) of the Colorado River Basin Project Act of 1968 and in this subsection, the Secretary shall consult with the Governors of the Colorado River Basin States and with the general public, including—

(A) representatives of academic and scientific communities;

(B) environmental organizations;

(C) the recreation industry; and

(D) contractors for the purchase of Federal power produced at Glen Canyon Dam.

(d) REPORT TO CONGRESS.—Upon implementation of long-term operations under subsection (c), the Secretary shall submit to the Congress the environmental impact statement described in subsection (a) and a report describing the long-term operations and other reasonable mitigation measures taken to protect, mitigate adverse impacts to, and improve the condition of the natural, recreational, and cultural resources of the Colorado River downstream of Glen Canyon Dam.

(e) ALLOCATION OF COSTS.—The Secretary of the Interior, in consultation with the Secretary of Energy, is directed to reallocate the costs of construction, operation, maintenance, replacement and emergency expenditures for Glen Canyon Dam among the purposes directed in section 1802 of this Act and the purposes established in the Colorado River Storage Project Act of April 11, 1956 (70 Stat. 170). Costs allocated to section 1802 purposes shall be nonreimbursable. Except that in fiscal year 1993 through 1997 such costs shall be nonreimbursable only to the extent to which the Secretary finds the effect of all provisions of this Act is to increase net offsetting receipts; *Provided*, That if the Secretary finds in any such year that the enactment of this Act does cause a reduction in net offsetting receipts generated by all provisions of this Act, the costs allocated to section 1802 purposes shall remain reimbursable. The Secretary shall determine the effect of all the provisions of this Act and submit a report to the appropriate House and Senate committees by January 31 of each fiscal year, and such report shall contain for that fiscal year a detailed accounting of expenditures incurred pursuant to this Act, offsetting receipts generated by this Act, and any increase or reduction in net offsetting receipts generated by this Act.

Reports.

SEC. 1805. LONG-TERM MONITORING.

(a) IN GENERAL.—The Secretary shall establish and implement long-term monitoring programs and activities that will ensure that Glen Canyon Dam is operated in a manner consistent with that of section 1802.

(b) RESEARCH.—Long-term monitoring of Glen Canyon Dam shall include any necessary research and studies to determine the effect of the Secretary's actions under section 1804(c) on the natural, recreational, and cultural resources of Grand Canyon National Park and Glen Canyon National Recreation Area.

(c) CONSULTATION.—The monitoring programs and activities conducted under subsection (a) shall be established and implemented in consultation with—

- (1) the Secretary of Energy;
- (2) the Governors of the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming;
- (3) Indian tribes; and
- (4) the general public, including representatives of academic and scientific communities, environmental organizations, the recreation industry, and contractors for the purchase of Federal power produced at Glen Canyon Dam.

SEC. 1806. RULES OF CONSTRUCTION.

Nothing in this title is intended to affect in any way—

- (1) the allocations of water secured to the Colorado Basin States by any compact, law, or decree; or
- (2) any Federal environmental law, including the Endangered Species Act (16 U.S.C. 1531 et seq.).

SEC. 1807. STUDIES NONREIMBURSABLE.

All costs of preparing the environmental impact statement described in section 1804, including supporting studies, and the long-term monitoring programs and activities described in section 1805 shall be nonreimbursable. The Secretary is authorized to use funds received from the sale of electric power and energy from the Colorado River Storage Project to prepare the environmental impact statement described in section 1804, including supporting studies, and the long-term monitoring programs and activities described in section 1805, except that such funds will be treated as having been repaid and returned to the general fund of the Treasury as costs assigned to power for repayment under section 5 of the Act of April 11, 1956 (70 Stat. 170). Except that in fiscal year 1993 through 1997 such provisions shall take effect only to the extent to which the Secretary finds the effect of all the provisions of this Act is to increase net offsetting receipts; *Provided*, That if the Secretary finds in any such year that the enactment of this Act does cause a reduction in net offsetting receipts generated by all provisions of this Act, all costs described in this section shall remain reimbursable. The Secretary shall determine the effect of all the provisions of this Act and submit a report to the appropriate House and Senate committees by January 31 of each fiscal year, and such report shall contain for that fiscal year a detailed accounting of expenditures incurred pursuant to this Act, offsetting receipts generated by this Act, and any increase or reduction in net offsetting receipts generated by this Act.

Reports.

PUBLIC LAW 102-575—OCT. 30, 1992

106 STAT. 4673

SEC. 1808. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as are necessary to carry out this title.

SEC. 1809. REPLACEMENT POWER.

The Secretary of Energy in consultation with the Secretary of the Interior and with representatives of the Colorado River Storage Project power customers, environmental organizations and the States of Arizona, California, Colorado, Nevada, New Mexico, Utah, and Wyoming shall identify economically and technically feasible methods of replacing any power generation that is lost through adoption of long-term operational criteria for Glen Canyon Dam as required by section 1804 of this title. The Secretary shall present a report of the findings, and implementing draft legislation, if necessary, not later than two years after adoption of long-term operating criteria. The Secretary shall include an investigation of the feasibility of adjusting operations at Hoover Dam to replace all or part of such lost generation. The Secretary shall include an investigation of the modifications or additions to the transmission system that may be required to acquire and deliver replacement power.

Reports.

* * * * *

Approved October 30, 1992.

106 STAT. 4769

LEGISLATIVE HISTORY—H. R. 429:

HOUSE REPORTS: Nos. 102-114, Pt. 1 (Comm. on Interior and Insular Affairs) and 102-1016 (Comm. of Conference).

SENATE REPORTS: No 102-267 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD:

Vol. 137 (1991): June 20, considered and passed House.

Vol. 138 (1992): Apr. 10, considered and passed Senate, amended.

June 18, House concurred in Senate amendment with an amendment.

July 31, Senate concurred in House amendment with an amendment: vitiated concurrence in House amendment with an amendment; and insisted on its amendment.

Oct. 5, House agreed to conference report.

Oct. 8, Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):

Oct. 30, Presidential statement.

106 STAT. 4872

PUBLIC LAW 102-581—OCT. 31, 1992

Public Law 102-581
102d Congress

An Act

Oct. 31, 1992
[H.R. 6168]

To amend the Airport and Airway Improvement Act of 1982 to authorize appropriations, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Airport and
Airway Safety,
Capacity, Noise
Improvement,
and Intermodal
Transportation
Act of 1992.
49 USC app.
2201 note.

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Airport and Airway Safety, Capacity, Noise Improvement, and Intermodal Transportation Act of 1992”.

106 STAT. 4875

TITLE I—AIRPORT AND AIRWAY IMPROVEMENT ACT
AMENDMENTS

106 STAT. 4887

Nevada.
Arizona.
Indiana.
16 USC 1a-1
note.

SEC. 134. AIR TRAFFIC OVER GRAND CANYON.

(a) STUDY.—The Administrator of the Federal Aviation Administration, in consultation with the Director of the National Park Service, the State of Arizona, the State of Nevada, the Clark County Department of Aviation, affected Indian tribes, and the general public, shall conduct a study on increased air traffic over Grand Canyon National Park.

106 STAT. 4888

(b) REPORT.—The Administrator of the Federal Aviation Administration shall submit to Congress a report on the results of the study conducted under subsection (a). The report shall include the following:

(1) A report on the increase in air traffic over Grand Canyon National Park since 1987.

(2) A forecast of the increase in air traffic over Grand Canyon National Park through 2010.

(3) A report on the carrying capacity of the airspace over Grand Canyon National Park to ensure aviation safety and to meet the requirements established by section 3 of the Act of August 18, 1987 (Public Law 100-91; 101 Stat. 676), including the substantial restoration of natural quiet at the Park.

(4) A plan of action to manage increased air traffic over Grand Canyon National Park to ensure aviation safety and to meet the requirements established by such section 3 of the Act of August 18, 1987, including any measures to encourage or require the use of quiet aircraft technology by commercial air tour operators.

106 STAT. 4899

Approved October 31, 1992.

LEGISLATIVE HISTORY—H.R. 6168:

CONGRESSIONAL RECORD, Vol. 138 (1992):

Oct. 5, considered and passed House.

Oct. 8, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):

Oct. 31, Presidential statement.

5. Hot Springs

PUBLIC LAW 103–58—AUG. 2, 1993

107 STAT. 280

Public Law 103–58
103d Congress

An Act

To modify the boundary of Hot Springs National Park.

Aug. 2, 1993
[H.R. 1347]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the boundary of Hot Springs National Park is modified as depicted on the map entitled “Proposed Boundary Map”, numbered 128/80015, and dated August 5, 1985.

16 USC 361g.

Approved August 2, 1993.

LEGISLATIVE HISTORY—H.R. 1347:

HOUSE REPORTS: No. 103–144 (Comm. on Natural Resources)

SENATE REPORTS: No. 103–97 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 139 (1993):

June 21, considered and passed House.

July 12, considered and passed Senate.

6. Joshua Tree

108 STAT. 4471

PUBLIC LAW 103–433—OCT. 31, 1994

Public Law 103–433 103d Congress

An Act

<div style="border-bottom: 1px solid black; padding-bottom: 5px;"> Oct. 31, 1994 [S. 21] </div>	To designate certain lands in the California Desert as wilderness, to establish the Death Valley and Joshua Tree National Parks, to establish the Mojave National Preserve, and for other purposes.
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Conservation. *Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

California
Desert
Protection Act of
1994.
16 USC 410aaa
note.
Short title.

SECTION 1. SHORT TITLE.

Sections 1 and 2, and titles I through IX of this Act may be cited as the “California Desert Protection Act of 1994”.

* * * * *

108 STAT. 4487
Short title.
Ante, p. 4471.

TITLE IV—JOSHUA TREE NATIONAL PARK

SEC. 401. FINDINGS.

16 USC
410aaa-21.

The Congress finds that—

(1) a proclamation by President Franklin Roosevelt in 1936 established Joshua Tree National Monument to protect various objects of historical and scientific interest;

(2) Joshua Tree National Monument today is recognized as a major unit of the National Park System, having extraordinary values enjoyed by millions of visitors;

(3) the monument boundaries as modified in 1950 and 1961 exclude and thereby expose to incompatible development and inconsistent management, contiguous Federal lands of essential and superlative natural, ecological, archeological, paleontological, cultural, historical, and wilderness values;

(4) Joshua Tree National Monument should be enlarged by the addition of contiguous Federal lands of national park caliber, and afforded full recognition and statutory protection as a National Park; and

(5) the nondesignated wilderness within Joshua Tree should receive statutory protection by designation pursuant to the Wilderness Act.

PUBLIC LAW 103-433—OCT. 31, 1994

108 STAT. 4488

SEC. 402. ESTABLISHMENT OF JOSHUA TREE NATIONAL PARK.

16 USC
410aaa-22.

There is hereby established the Joshua Tree National Park, (hereinafter in this section referred to as the “park”) as generally depicted on a map entitled “Joshua Tree National Park Boundary—Proposed”, dated May 1991, and four maps entitled Joshua Tree National Park Boundary and Wilderness”, numbered in the title one through four, and dated October 1991 or prior, which shall be on file and available for public inspection in the offices of the Superintendent of the park and the Director of the National Park Service, Department of the Interior. The Joshua Tree National Monument is hereby abolished as such, the lands and interests therein are hereby incorporated within and made part of the new Joshua Tree National Park, and any funds available for purposes of the monument shall be available for purposes of the park.

16 USC 431 note.

SEC. 403. TRANSFER AND ADMINISTRATION OF LANDS.

16 USC
410aaa-23.

Upon enactment of this title, the Secretary shall transfer the lands under the jurisdiction of the Bureau of Land Management depicted on the maps described in section 402 of this title, without consideration, to the administrative jurisdiction of the National Park Service for administration as part of the National Park System. The boundaries of the park shall be adjusted accordingly. The Secretary shall administer the areas added to the park by this title in accordance with the provisions of law generally applicable to units of the National Park System, including the Act entitled “An Act to establish a National Park Service, and for other purposes”, approved August 25, 1916 (39 Stat. 535; 16 U.S.C. 1, 2-4).

SEC. 404. MAPS AND LEGAL DESCRIPTION.

16 USC
410aaa-24.

Within six months after the date of enactment of this title, the Secretary shall file maps and legal description of the park with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives. Such maps and legal description shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such legal description and maps. The maps and legal description shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior.

SEC. 405. WITHDRAWAL.

16 USC
410aaa-25.

Subject to valid existing rights, all Federal lands within the park are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws; from location, entry, and patent under the United States mining laws; and from disposition under all laws pertaining to mineral and geothermal leasing, and mineral materials, and all amendments thereto.

108 STAT. 4488

PUBLIC LAW 103-433—OCT. 31, 1994

16 USC
410aaa-26.

SEC. 406. UTILITY RIGHTS-OF-WAY.

108 STAT. 4489

Nothing in this title shall have the effect of terminating any validly issued right-of-way or customary operation, maintenance, repair, and replacement activities in such right-of-way, issued, granted, or permitted to the Metropolitan Water District pursuant to the Boulder Canyon Project Act (43 U.S.C. 617-619b), which is located on lands included in the Joshua Tree National Park, but outside lands designated as wilderness under section 601(a)(2). Such activities shall be conducted in a manner which will minimize the impact on park resources. Nothing in this title shall have the effect of terminating the fee title to lands or customary operation, maintenance, repair, and replacement activities on or under such lands granted to the Metropolitan Water District pursuant to the Act of June 18, 1932 (47 Stat. 324), which are located on lands included in the Joshua Tree National Park, but outside lands designated as wilderness under section 601(a)(2). Such activities shall be conducted in a manner which will minimize the impact on park resources. The Secretary shall prepare within one hundred and eighty days after the date of enactment of this Act, in consultation with the Metropolitan Water District, plans for emergency access by the Metropolitan Water District to its lands and rights-of-way.

16 USC
410aaa-27.
Establishment.

SEC. 407. JOSHUA TREE NATIONAL PARK ADVISORY COMMISSION.

(a) The Secretary shall establish an Advisory Commission of no more than fifteen members, to advise the Secretary concerning the development and implementation of a new or revised comprehensive management plan for Joshua Tree National Park.

(b)(1) The advisory commission shall include an elected official for each County within which any part of the park is located, a representative of the owners of private properties located within or immediately adjacent to the park, and other members representing persons actively engaged in grazing and range management, mineral exploration and development, and persons with expertise in relevant fields, including geology, biology, ecology, law enforcement, and the protection and management of National Park resources and values.

(2) Vacancies in the advisory commission shall be filled by the Secretary so as to maintain the full diversity of views required to be represented on the advisory commission.

(c) The Federal Advisory Committee Act shall apply to the procedures and activities of the advisory commission.

Termination
date.

(d) The advisory commission shall cease to exist ten years after the date of its establishment.

* * * * *

PUBLIC LAW 103-433—OCT. 31, 1994

108 STAT. 4496

TITLE VI—NATIONAL PARK SYSTEM WILDERNESS

Short title.
Ante, p. 4471.

SEC. 601. DESIGNATION OF WILDERNESS.

(a) In furtherance of the purposes of the Wilderness Act (78 Stat. 890; 16 U.S.C. 1311 et seq.), the following lands within the units of the National Park System designated by this Act are hereby designated as wilderness, and therefore, as components of the National Wilderness Preservation System:

16 USC 1132
note.

* * * * *

(2) Joshua Tree National Park Wilderness Additions, comprising approximately one hundred thirty-one thousand seven hundred and eighty acres, as generally depicted on four maps entitled “Joshua Tree National Park Boundary and Wilderness—Proposed”, numbered in the title one through four, and dated October 1991 or prior, and which are hereby incorporated in, and which shall be deemed to be a part of the Joshua Tree Wilderness as designated by Public Law 94-567.

* * * * *

SEC. 602. FILING OF MAPS AND DESCRIPTIONS.

Maps and a legal description of the boundaries of the areas designated in section 601 of this title shall be on file and available for public inspection in the appropriate offices of the National Park Service, Department of the Interior. As soon as practicable after the date of enactment of this title, maps and legal descriptions of the wilderness areas shall be filed with the Committee on Energy and Natural Resources of the United States Senate and the Committee on Natural Resources of the United States House of Representatives, and such maps and legal descriptions shall have the same force and effect as if included in this title, except that the Secretary may correct clerical and typographical errors in such maps and legal descriptions.

108 STAT. 4497

SEC. 603. ADMINISTRATION OF WILDERNESS AREAS.

The areas designated by section 601 of this title as wilderness shall be administered by the Secretary in accordance with the applicable provisions of the Wilderness Act governing areas designated by that title as wilderness, except that any reference in such provision to the effective date of the Wilderness Act shall be deemed to be a reference to the effective date of this title, and where appropriate, and reference to the Secretary of Agriculture shall be deemed to be a reference to the Secretary of the Interior.

108 STAT. 4497

PUBLIC LAW 103-433—OCT. 31, 1994

Short title.
Ante, p. 4471.

TITLE VII—MISCELLANEOUS
 PROVISIONS

108 STAT. 4498
 16 USC
 410aaa-76.

* * * * *
 SEC. 706. FEDERAL RESERVED WATER RIGHTS.

(a) Except as otherwise provided in section 204 of this Act, with respect to each wilderness area designated by this Act, Congress hereby reserves a quantity of water sufficient to fulfill the purposes of this Act. The priority date of such reserved water rights shall be the date of enactment of this Act.

(b) The Secretary and all other officers of the United States shall take all steps necessary to protect the rights reserved by this section, including the filing by the Secretary of a claim for the quantification of such rights in any present or future appropriate stream adjudication in the courts of the State of California in which the United States is or may be joined in accordance with section 208 of the Act of July 10, 1952 (66 Stat. 560, 43 U.S.C. 666), commonly referred to as the McCarran Amendment.

(c) Nothing in this Act shall be construed as a relinquishment or reduction of any water rights reserved or appropriated by the United States in the State of California on or before the date of enactment of this Act.

(d) The Federal water rights reserved by this Act are specific to the wilderness area located in the State of California designated under this Act. Nothing in this Act related to the reserved Federal water rights shall be construed as establishing a precedent with regard to any future designations, nor shall it constitute an interpretation of any other Act or any designation made thereto.

* * * * *

108 STAT. 4525 Approved October 31, 1994.

LEGISLATIVE HISTORY—S. 21 (H.R. 518):

HOUSE REPORTS: Nos. 103-498 accompanying H.R. 518 (Comm. on Natural Resources) and 103-832 (Comm. of Conference).

SENATE REPORTS: No. 103-165 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 140 (1994):

Apr. 12, 13, considered and passed Senate.

May 17, June 10, 13, July 12-14, 27, H.R. 518 considered and passed House;

S. 21, amended, passed in lieu.

Oct. 6, House agreed to conference report.

Oct. 7, 8, Senate considered and agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 30 (1994):

Oct. 31, Presidential remarks and statement.

NOTE: See Appendix for additional administrative provisions.

7. Olympic

PUBLIC LAW 102-145—NOV. 13, 1991

105 STAT. 990

Public Law 102-154
102d Congress**An Act**

Making appropriations for the Department of the Interior and related agencies for the fiscal year ending September 30, 1992, and for other purposes.

Nov. 13, 1991
[H.R. 2686]*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Department of the Interior and related agencies for the fiscal year ending September 30, 1992, and for other purposes, namely:Department of
the Interior and
Related
Agencies
Appropriations
Act, 1992.**TITLE I—DEPARTMENT OF THE INTERIOR**

* * * * *

NATIONAL PARK SERVICE

105 STAT. 996

* * * * *

ADMINISTRATIVE PROVISIONS

105 STAT. 998

* * * * *

Notwithstanding any Master Plan, Development Concept Plan or policy of the Olympic National Park, nor any Federal regulation, to the contrary, the Superintendent of the Olympic National Park, located in the State of Washington, is authorized and directed to issue a ten-year, special use permit for the continued operation of Kamp Kiwanis by the Hoquiam Kiwanis Club and the Hoquiam Y.M.C.A., and for reconstruction of the main lodge at Kamp Kiwanis, at the location described below within the boundary of the Olympic National Park:

105 STAT. 999
Washington.
National parks,
monuments,
memorials.

A plot of land in Section 13, Township 23 N., Range 10 W., W.M. described as follows:

Beginning at an iron pipe which is on the section line and south 860 feet from the south 1/16 corner of Sections 14 and 13 in Township 23 north, Range 10 W., W.M.; thence north 13 1/2 degrees east 572 feet to an iron pipe; thence south 55 degrees east 319 feet to an iron pipe; thence south 16 degrees west 458 feet to an iron pipe; thence north 75 1/2 degrees west 277 feet to point of beginning, containing 3.43 acres, more or less; also a right-of-way for a pipeline from Higley Creek to the above area

105 STAT. 1000

PUBLIC LAW 102-154—NOV. 13, 1991

about 2,000 feet along the section line between Sections 13 and
14, T. 23 N., Range 10 W., W.M.

* * * * *

105 STAT. 1037 Approved November 13, 1991.

LEGISLATIVE HISTORY—H.R. 2686:

HOUSE REPORTS: Nos. 102-116 (Comm. on Appropriations) and 102-256
(Comm. of Conference).

SENATE REPORTS: No. 102-122 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 137 (1991):

June 24, 25, considered and passed House.

Sept. 12, 13, 16-19, considered and passed Senate, amended.

Oct. 24, House agreed to conference report; receded and concurred in certain
Senate amendments, in others with amendments; and disagreed to
others.

Oct. 30, 31, Senate agreed to conference report; receded and concurred in
certain House amendments, in another with an amendment.

Nov. 1, House disagreed to Senate amendment. Senate receded and concurred
in House amendment.

PUBLIC LAW 102-436—OCT. 23, 1992

106 STAT. 2217

Public Law 102-436
102d Congress

An Act

To provide a land exchange with the city of Tacoma, Washington.

Oct. 23, 1992
[H.R. 4489]

*Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled,*

Conservation.
16 USC 251
note.

TITLE I—LAND EXCHANGE WITH CITY OF TACOMA,
WASHINGTON.

SEC. 101. LAND EXCHANGE.

(a) IN GENERAL.—(1) If the city of Tacoma, Washington, in a manner consistent with this title, offers to transfer to the United States the lands identified in paragraph (2) in exchange for the lands described in paragraph (3), the Secretary of the Interior (hereafter in this title referred to as the “Secretary”) shall carry out such exchange as soon as is reasonably possible.

(2) The lands to be conveyed to the United States by the city of Tacoma are approximately 45 acres owned by the State of Washington Department of Natural Resources located in the Soleduck and Quileute areas within the authorized boundary of Olympic National Park.

(3) The lands to be conveyed to the city of Tacoma are approximately 30 acres of land adjacent to Lake Cushman identified as lands to be transferred to the city of Tacoma as depicted on the map entitled “Proposed Boundary Revision Olympic National Park” and dated July 29, 1991. Such map, and a legal description of the lands to be conveyed to the city of Tacoma shall be on file and available for public inspection with the Director of the National Park Service Department of the Interior.

(b) CONDITIONS.—(1) Any exchange of lands pursuant to this title shall occur only if—

(A) the city of Tacoma demonstrates to the satisfaction of the Secretary that the city of Tacoma is able to deliver to the United States clear and unencumbered title to the lands identified in subsection (a)(2), and that after such exchange there will be no legal impediment to the management of such lands as part of Olympic National Park under all provisions of law applicable to Olympic National Park;

(B) the Secretary is reasonably satisfied that an environmental review of the Cushman Project (No. 460) sufficient to meet the requirements of law has been initiated;

(C) the city of Tacoma has entered into an enforceable agreement with the Secretary which provides that lands acquired by the city of Tacoma through an exchange under this title will be managed in a manner consistent with the management of those same lands during the time such lands were managed by the National Park Service; and

(D) the city of Tacoma offers, in good faith, to negotiate with the Skokomish Tribe regarding the impact of the Cushman Project on fish, wildlife, estuary, and cultural resources, and

106 STAT. 2218

PUBLIC LAW 102-436—OCT. 23, 1992

to fund appropriate studies concerning such impacts (to be jointly administered by the city and the Tribe), to the extent that further information is needed to facilitate such negotiations and such information is reasonably obtainable.

(2) The land exchange authorized by this section shall be subject to the laws and regulations applicable to exchanges involving lands managed by the Secretary as part of the National Park System.

SEC. 102. BOUNDARY ADJUSTMENT.

At the same time that the Secretary exchanges lands pursuant to this title, the Secretary shall adjust the boundaries of Olympic National Park in the manner depicted on the map referenced in section 101(a)(3) so as to exclude from such unit of the National Park System the lands transferred to the city of Tacoma by the Secretary pursuant to such exchange.

SEC. 103. ADDITIONAL PROVISIONS.

Nothing in this title shall be construed—

(1) as approval or disapproval of any reservoir operating level for the Cushman Reservoir which, after a boundary adjustment under section 102, would not inundate any lands within any unit of the National Park System;

(2) to limit the right or ability of any party, including any Indian tribe and Federal Agency, to fully participate as intervenors or otherwise in any process relating to the Cushman Project (No. 460); or

(3) as limiting or otherwise affecting any rights by treaty, executive order, or Federal law of the Skokomish Tribe or any other Indian tribe, including (but not limited to) rights related to fishing or the use of water.

* * * * *

106 STAT. 2220

Approved October 23, 1992.

LEGISLATIVE HISTORY—H.R. 4489 (S. 2353):

HOUSE REPORTS: No. 102-946 (Comm. on Interior and Insular Affairs).

SENATE REPORTS: No. 102-465 accompanying S. 2353 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 138 (1992):

Sept. 29, considered and passed House.

Oct. 7, considered and passed Senate.

PUBLIC LAW 102-495—OCT. 24, 1992

106 STAT. 3173

Public Law 102-495
102d Congress

An Act

To restore Olympic National Park and the Elwha River ecosystem and fisheries in the State of Washington.

Oct. 24, 1992

[H.R. 4844]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Elwha River
Ecosystem and
Fisheries
Restoration Act.
Conservation.

SECTION 1. SHORT TITLE.

This Act may be referred to as the “Elwha River Ecosystem and Fisheries Restoration Act”.

SEC. 2. DEFINITIONS.

For the purposes of this Act:

(a) The term “Administrator” means the Administrator of the Bonneville Power Administration.

(b) The term “Commission” means the Federal Energy Regulatory Commission.

(c) The term “electric power” means electric peaking capacity or electric energy or both.

(d) The term “Elwha Project” means the Elwha River Hydroelectric Project, Federal Energy Regulatory Commission Project Number 2683, including appurtenant works and project lands, located on the Elwha River in Clallam County, Washington.

(e) The term “Glines Project” means the Glines Canyon Hydroelectric Project Federal Energy Regulatory Commission Project Number 588, including appurtenant works and project lands, located on private and public lands both within and without the exterior boundaries of Olympic National Park on the Elwha River in Clallam County, Washington.

(f) The term “local industrial consumer” means the owner of the pulp and paper mill located on Ediz Hook in Port Angeles, Washington, that, on the date of enactment of this Act, receives and consumes the electric power produced by the Projects, or its successors or assignees.

(g) The term “local preference customer” means Port Angeles City Light.

(h) The term “owner” means the current owner of the Projects or its successors or assignees, but shall not mean the Secretary, the United States, or any other entity acquiring title to the Projects or features thereof pursuant to the terms of this Act.

(i) The term “Park” means Olympic National Park.

(j) The term “Project” or “Projects” means either or both the Elwha Project and the Glines Project, including project works and appurtenant lands.

(k) The term “project replacement power” means electric power delivered to the local industrial consumer to replace losses of electric power generation from the Projects following their acquisition by the Secretary pursuant to this Act, in

an amount not to exceed 172.088 gigawatthours of energy in any year.

(l) The term "Secretary" means the Secretary of the Interior.

(m) The term "State" means the State of Washington, including its agencies and departments.

SEC. 3. ACQUISITION OF PROJECTS.

Effective date.

(a) Effective sixty days after submission to the Congress of the report referred to in section 3(c), the Secretary is authorized to acquire the Elwha and Glines Canyon Projects, and all rights of the owner and local industrial consumer therein, subject to the appropriation of funds therefor: *Provided*, That the Secretary shall not acquire the projects unless he has determined pursuant to subsection (c) that removal of the Project dams is necessary for the full restoration of the Elwha River ecosystem and native anadromous fisheries and that funds for that purpose will be available for such removal within two years after acquisition.

(b) The consideration for acquisition of the Projects shall be \$29.5 million and no more, to be paid by the Secretary to the owner and local industrial consumer at the time of acquisition, and shall be conditioned on a release of liability providing that all obligations and liabilities of the owner and the local industrial consumer to the United States arising from the projects, based upon ownership, license, permit, contract, or other authority, including, but not limited to, project removal and any ecosystem, fish and wildlife mitigation or restoration obligations, shall, from the moment of title transfer, be deemed to have been satisfied: *Provided*, That the United States may not assume or satisfy any liability, if any, of the owner or local industrial consumer to any federally recognized Indian Tribe nor shall such liability to the Tribe, if any, be deemed satisfied without the consent of such Tribe.

Reports.

(c) The Secretary shall prepare a report on the acquisition of the Projects and his plans for the full restoration of the Elwha River ecosystem and the native anadromous fisheries and submit such report on or before January 31, 1994, to the Appropriations Committees of the United States Senate and the United States House of Representatives, as well as to the Committee on Energy and Natural Resources of the Senate and the Committees on Energy and Commerce, Interior and Insular Affairs, and Merchant Marine and Fisheries of the United States House of Representatives. The report shall contain, without limitation:

(1) The precise terms of acquisition of the Projects with an analysis of the costs, in addition to the consideration set out in section 3(b), and potential liabilities and benefits, if any, to the Federal Government resulting from the acquisition and all other actions authorized under this Act.

(2) Alternatives, in lieu of dam removal, for the restoration of the Elwha River ecosystem anadromous fisheries and wildlife of the Elwha River basin consistent with the management plan of the Park, the rights of any Indian tribe secured by treaty or other Federal law, and applicable State law. The report shall include feasibility studies for each alternative considered and a definite plan for removal. Such definite plan shall include the timetable after conveyance for removal of the dams and the plans for removal and disposal of sediment, debris, and other materials consistent with all

applicable environmental laws and a detailed explanation of all costs of removal. In conducting the feasibility studies and in the preparation of the definite plan, the Secretary is authorized to use the services of any Federal agency on a reimbursable basis and the heads of all Federal agencies are authorized to provide such technical and other assistance as the Secretary may request. For each alternative considered, the Secretary shall estimate total costs, environmental risks and benefit, the potential for full restoration of the Elwha River ecosystem and native anadromous fisheries, and the effect on natural and historic resources (together with any comments made by the Advisory Council on Historic Preservation for any properties which are listed, or eligible for listing, on the National Register of Historic Places).

(3) Specific proposals for management of all lands or interests therein acquired pursuant to this Act which are located outside the exterior boundaries of the Olympic National Park. The Secretary shall specifically address the suitability of such lands, or portions thereof, for addition to the National Wildlife Refuge System; National Park System; transfer to the Lower Elwha Klallam Tribe in trust for tribal housing, cultural or economic development purposes in accordance with a plan developed by the Lower Elwha Klallam Tribe in consultation with the Secretary; and development and use by the State. Upon acquisition, all lands and interests therein within the exterior boundaries of the Park shall be managed pursuant to authorities otherwise applicable to the Park. For the purposes of protecting the Federal investment in restoration, that portion of the river outside the Park on which the Federal Government will acquire both banks shall, upon such acquisition, be managed in accordance with the declared policy of section 1(b) of Public Law 90-542, except that modifications necessary to restore, protect, and enhance fish resources and to protect the existing quality of water supplied from the river are hereby authorized.

(4) Specific proposals and any Federal funding and the availability of that funding that may be necessary to protect the existing quality and availability of water from the Elwha River for municipal and industrial use from possible adverse impacts of dam removal.

(5) Identification of any non-Federal parties or entities, excluding Federally recognized Indian tribes, which would directly benefit from the commercial, recreational, and ecological values that would be enhanced by the restoration of the Elwha River ecosystem and fisheries, if the Secretary believes that such parties or entities should assume some portion of the cost involved in the restoration, together with the specific cost-share provisions which the Secretary deems necessary and reasonable.

(d) In preparing his report, the Secretary shall consult with appropriate State and local officials, affected Indian tribes, the Commission, the Environmental Protection Agency, the Secretary of Energy, the Administrator, the Pacific Northwest Power Planning Council, the Secretary of Commerce, and of the Advisory Council on Historic Preservation, as well as interested members of the public. In addition, the Secretary shall afford an opportunity for

public comment on the report prior to its submission to the Congress.

(e) Upon the appropriation of the sum provided for in section 3(b) for the acquisition of the Projects and the determination that dam removal is necessary, the owner and local industrial consumer shall convey to the United States, through the Secretary, title to the Projects, including all property and all other rights and interests. Upon such conveyance and payment of the consideration as provided in section 3(b), and without further action by the United States, title shall transfer and vest in the United States, the owner and local industrial consumer shall be released from any further liability to the United States, as provided in section 3(b), and the acquisition from the owner and local industrial consumer shall be deemed to be completed.

Effective date.

SEC. 4. ECOSYSTEM AND FISHERIES RESTORATION.

(a) Effective sixty days after submission of the report referred to in section 3(c) and following the conveyance in section 3(e), the Secretary is authorized and directed, subject to the appropriation of funds therefor, to take such actions as are necessary to implement—

(1) the definite plan referred to in section 3(c)(2) for the removal of the dams and full restoration of the Elwha River ecosystem and native anadromous fisheries;

(2) management of lands acquired pursuant to this Act which are located outside the exterior boundaries of the Park; and

(3) protection of the existing quality and availability of water from the Elwha River for municipal and industrial uses from possible adverse impacts of dam removal.

(b) the definite plan referred to section 3(c)(2) must include all actions reasonably necessary to maintain and protect existing water quality for the City of Port Angeles, Dry Creek Water Association, and the industrial users of Elwha River water against adverse impacts of dam removal. The cost of such actions, which may include as determined by the Secretary, if reasonably necessary, design, construction, operation and maintenance of water treatment or related facilities, shall be borne by the Secretary. Funds may not be appropriated for removal of the dams, unless, at the same time, funds are appropriated for actions necessary to protect existing water quality.

(c) Nothing in this section shall be construed as an entitlement for which a claim against the United States may be made under the Tucker Act.

SEC. 5. PROJECT OPERATION AND REPLACEMENT POWER.

(a) Notwithstanding any other provision of law, neither the Federal Energy Regulatory Commission nor any other agency of the Federal Government shall have the authority or jurisdiction to issue a permanent license or similar order with respect to either Project prior to conveyance as provided in section 3(e), except that the Commission shall have jurisdiction under the Federal Power Act and is hereby authorized and directed to issue or maintain in effect annual licenses or authorizations for both Projects, authorizing continued operation of both Projects by the owner and local industrial consumer, such operation to be under such terms and conditions and in accordance with such practices as existed on September 1, 1992, until (1) the date the Secretary has acquired

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106 STAT. 3177

title to the Projects or (2) if the Secretary's report required in section 3(c) does not provide for dam removal, five years after the expiration of the current annual license or authorization then in effect, after which time the Commission shall have authority under the Federal Power Act to issue appropriate licenses with respect to such Projects to the extent the Commission has jurisdiction over such Projects under such Act on the date of enactment of this Act.

(b) To ensure the availability of adequate electric power supplies to the operating facilities of the local industrial consumer, the Administrator shall, following acquisition of the Projects pursuant to this Act, deliver all project replacement power required by the operating facilities of the local industrial consumer through the local preference customer at a rate equal to the priority firm rate, or the rate which is then the equivalent of the priority firm rate if that designation is no longer used by the Administrator, as such rate is fixed by the Administrator from time to time, without regard to any new large single load determinations or similar factors. The local industrial consumer shall pay the local preference customer for such project replacement power at the same rate as all other industrial consumers of the local preference customer.

(c) Upon conveyance of the Projects to the United States, the Secretary shall maintain the dams in a safe condition for the period prior to their removal.

SEC. 6. LEASE OF FEDERAL LANDS.

(a) LEASE OF LANDS TO THE CITY OF PORT ANGELES.—After the Secretary makes the determination to remove the dams and actually acquires the projects and funds are appropriated for such conveyance and removal, the Secretary is authorized to issue a lease to the City of Port Angeles, Washington, for those lands situated on Ediz Hook, Clallam County, Washington, currently leased to the City under Lease No. DOT-CG13-4811-72, dated April 4, 1972, as amended, except for that parcel of land described in subsection (b)(2). Such lease shall be issued pursuant to the Act of June 14, 1926, as amended (43 U.S.C. 869), for a period of 99 years, beginning on a date to be determined by the Secretary, without right of patent.

(b) LEASE OF LANDS TO THE LOWER ELWHA KLALLAM TRIBE.—(1) After the Secretary makes the determination to remove the dams and actually acquires the Projects and funds are appropriated for such conveyance and removal, the Secretary is authorized to lease to the Lower Elwha Klallam Tribe that parcel of land situated on Ediz Hook, Clallam County, Washington, described in paragraph (2) for the purposes of the construction and operation of a tribal cultural facility, such as a longhouse or a museum, and associated interpretive and parking facilities. Such lease shall be issued pursuant to the Act of June 14, 1926, as amended (43 U.S.C. 869), for a period of ninety-nine years beginning on a date determined by the Secretary, without right of patent.

(2) The parcel of land to be leased to the Lower Elwha Klallam Tribe is that parcel of land lying south of the existing roadway and extending southward to the southern boundary of the land currently leased to the City of Port Angeles (Lease No. DOT-CG13-4811-72, dated April 4, 1972, as amended) and beginning at the north-south line 200 feet east of the western boundary

of Out Lot 6 and running easterly 600 feet to the north-south line 300 feet west of the eastern boundary of Out Lot 6.

(3) In addition to the general terms and conditions applicable under the Act of June 14, 1926, as amended (43 U.S.C. 869), the lease to the Tribe shall be subject to the following terms and conditions:

(A) There shall be public access to the beach along the south side of the parcel at all times.

(B) The City of Port Angeles shall have the right to construct and maintain a waterfront trail adjacent to the existing roadway along the north side of the parcel, the location of which shall be determined in conjunction with the Secretary.

(C) Parking facilities on the parcel shall be open to the public at all times.

(c) In addition to the terms and conditions described in this section for the leases to the City and the Tribe, the Secretary shall incorporate by reference into each lease the Agreement entered into on August 11, 1992, between the City and the Tribe regarding the use of the adjacent leaseholds.

SEC. 7. TRIBAL LAND ACQUISITION AND DEVELOPMENT.

(a) After the Secretary makes the determination to remove the dams and actually acquires the Projects and funds are appropriated for such conveyance and removal, the Secretary is authorized to acquire by purchase, and hold in trust in reservation status for the benefit of the Lower Elwha Klallam Tribe, lands in Clallam County, Washington for housing, economic development, and moorage for the Tribal commercial fishing fleet.

(b) There is authorized to be appropriated an amount not to exceed \$4,000,000 to carry out the land acquisition purposes of this section.

Appropriation
authorization.

SEC. 8. SAVINGS.

(a) Nothing in this shall abridge or modify existing rights to Elwha River water.

(b) Nothing in this Act shall affect the rights of any Indian Tribe secured by Treaty or other law of the United States.

(c) This Act does not modify any of the Administrator's obligations or require the Administrator to take any actions regarding the protection, mitigation, or enhancement of fish and wildlife or expand those provided for under the Pacific Northwest Power Planning and Conservation Act, Public Law 96-501. Notwithstanding any other provision of law, the Administrator shall not be required to make any expenditures from the Bonneville Power Administration fund for the operation, maintenance, rehabilitation, improvement, or removal, breach, or bypass of the Projects.

SEC. 9. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Secretary of the Interior for expenditure through the Assistant Secretary for Fish, Wildlife, and Parks and to the Secretary of Commerce for

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106 STAT. 3179

expenditure through the National Marine Fisheries Service such sums as may be necessary to carry out the purposes of this Act: *Provided*, That such authorization shall not become effective until sixty days following submission of the report provided for in section (3)(c) of this Act.

Effective date.

Approved October 24, 1992.

LEGISLATIVE HISTORY—H R. 4844:

CONGRESSIONAL RECORD, Vol. 138 (1992):

Oct. 5, considered and passed House.

Oct. 7, considered and passed Senate.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 138 (1992):

Oct. 24, Presidential statement.

8. Petrified Forest

108 STAT. 2663

PUBLIC LAW 103-337—OCT. 5, 1994

**Public Law 103-337
103d Congress****An Act**

Oct. 5, 1994
[S. 2182]

To authorize appropriations for fiscal year 1995 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

National Defense
Authorization
Act for
Fiscal Year 1995.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Defense Authorization Act for Fiscal Year 1995”.

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108 STAT. 3027

DIVISION B—MILITARY CONSTRUCTION AUTHORIZATIONS

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108 STAT. 3050

TITLE XXVIII—GENERAL PROVISIONS

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108 STAT. 3059

Subtitle D—Land Conveyances

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108 STAT. 3068
16 USC 119 note.**SEC. 2844. TRANSFER OF JURISDICTION, AIR FORCE HOUSING AT RADAR BOMB SCORING SITE, HOLBROOK, ARIZONA.**

(a) **TRANSFER AUTHORIZED.**—As part of the closure of an Air Force Radar Bomb Scoring Site located near Holbrook, Arizona, the Secretary of the Air Force may transfer, without reimbursement, the administrative jurisdiction, accountability, and control of the housing units and associated support facilities used in connection with the site to the Secretary of the Interior for use in connection with Petrified Forest National Park.

(b) **DESCRIPTION OF PROPERTY.**—The exact acreage and legal description of the real property to be transferred under subsection (a) shall be determined by a survey satisfactory to the Secretary of the Air Force and the Secretary of the Interior.

(c) **ADDITIONAL TERMS AND CONDITIONS.**—The Secretary of the Air Force may require such additional terms and conditions in connection with the transfer of real property under subsection (a) as the Secretary considers appropriate.

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108 STAT. 3113

Approved October 5, 1994.

LEGISLATIVE HISTORY—S. 2182 (H.R. 4301) (S. 2208) (S. 2209) (S. 2211):
HOUSE REPORTS: Nos. 103-499 accompanying H.R. 4301 (Comm. on Armed Services) and 103-701 (Comm. on Conference).
SENATE REPORTS: No. 103-282 (Comm. on Armed Services).
CONGRESSIONAL RECORD, Vol. 140 (1994):

May 18-20, 23, 24, June 8, 9, H.R. 4301 considered and passed House.

June 22-24, 30, S. 2182 considered in Senate.

July 1, S. 2182, S. 2208, S. 2209, S. 2211 considered and passed Senate; H.R. 4301, amended, passed.

July 25, S. 2182 considered and passed House, amended.

Aug. 17, House agreed to conference report.

Sept. 12, 13, Senate considered and agreed to conference report.

9. Saguaro

PUBLIC LAW 103–364—OCT. 14, 1994

108 STAT. 3467

Public Law 103–364
103d Congress

An Act

To establish the Saguaro National Park in the State of Arizona, and for other purposes.

Oct. 14, 1994
[S. 316]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Saguaro National Park Establishment Act of 1994”.

Saguaro
National Park
Establishment
Act of 1994.
16 USC 410zz
note.

SEC. 2. FINDINGS AND PURPOSE.

16 USC 410zz.

The Congress finds that—

(1) the Saguaro National Monument was established by Presidential Proclamation in 1933;

(2) the Tucson Mountain unit was established by Presidential Proclamation in 1961;

(3) in recognition of the need to provide increased protection for the monument, the boundaries of Tucson Mountain unit were expanded in 1976, and the boundaries of Rincon unit were expanded in 1991;

(4) the Tucson Mountain unit continues to face threats to the integrity of its natural resources, scenic beauty, and habitat protection for which the unit was established;

(5) these threats impede opportunities for public enjoyment, education, and safety within the monument, as well as opportunities for solitude within the wilderness areas of the monument designated by Congress in 1976;

(6) the residential and commercial growth of the greater Tucson, Arizona metropolitan area is causing increasing threats to the monument's resources; and

(7) the Tucson Mountain unit should be enlarged by the addition of adjacent lands of National Park caliber and Saguaro National Monument should be afforded full recognition and statutory protection as a National Park.

SEC. 3. ESTABLISHMENT OF SAGUARO NATIONAL PARK.

16 USC 410zz-1.

There is hereby established the Saguaro National Park (hereinafter in this Act referred to as the “park”) in the State of Arizona. The Saguaro National Monument is abolished as such, and all lands and interests therein are hereby incorporated within and made part of Saguaro National Park. Any reference to Saguaro National Monument shall be deemed a reference to Saguaro National Park, and any funds available for the purposes of the monument shall be available for purposes of the park.

16 USC 431 note.

108 STAT. 3468

PUBLIC LAW 103-364—OCT. 14, 1994

16 USC 410zz-2. SEC. 4. EXPANSION OF PARK BOUNDARIES.

(a) IN GENERAL.—The boundaries of the park are hereby modified to reflect the addition of approximately 3,460 acres of land and interests therein as generally depicted on the map entitled “Saguaro National Monument Additions” and dated April, 1994.

(b) LAND ACQUISITION.—(1) Within the lands added to the park pursuant to subsection (a), the Secretary is authorized to acquire lands and interests therein by donation, purchase with donated or appropriated funds, transfer, or exchange: *Provided*, That no such lands or interests therein may be acquired without the consent of the owner thereof unless the Secretary determines that the land is being developed, or is proposed to be developed in a manner which is detrimental to the integrity of the Park.

(2) Lands or interests therein owned by the State of Arizona or a political subdivision thereof may only be acquired by donation or exchange.

(c) WITHDRAWAL.—Subject to valid existing rights, all Federal lands within the park are hereby withdrawn from all forms of entry, appropriation, or disposal under the public land laws, from location, entry, or patent under the United States mining laws, and from disposition under all laws relating to mineral and geothermal leasing, and mineral materials, and all amendments thereto.

16 USC 410zz-3. SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated such sums as may be necessary to carry out this Act.

Approved October 14, 1994.

LEGISLATIVE HISTORY—S. 316:

HOUSE REPORTS: No. 103-815 (Comm. on Natural Resources).

SENATE REPORTS: No. 103-270 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 140 (1994):

June 16, considered and passed Senate.

Oct. 3, considered and passed House.

10. Shenandoah

PUBLIC LAW 102-393—OCT. 6, 1992

106 STAT. 1729

Public Law 102-393
102d Congress**An Act**

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1993, and for other purposes.

Oct. 6, 1992
[H.R. 5488]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain independent Agencies, for the fiscal year ending September 30, 1993, and for other purposes, namely:

Treasury, Postal
Service, and
General
Government
Appropriations
Act, 1993.

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TITLE V

106 STAT. 1757

GENERAL PROVISIONS**THIS ACT**

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106 STAT. 1763

SEC. 533. (a) IN GENERAL.—Subject to subsection (b), the Secretary of the Interior may transfer certain land located in the Shenandoah National Park and described in subsection (c) to the Secretary of the Treasury for use by the Secretary of the Treasury as a United States Customs Service Canine Enforcement Training Center.

16 USC 403 note.

(b) CONDITIONS OF TRANSFER.—

(1) PROTECTION OF THE PARK.—An agreement to transfer pursuant to subsection (a) shall include such provisions for the protection of Shenandoah National Park as the Secretary of the Interior considers necessary.

(2) CONSIDERATION.—A transfer made pursuant to subsection (a) shall be made without consideration or reimbursement.

(3) ABANDONMENT.—If the land referred to in subsection (a) is abandoned by the Secretary of the Treasury at any time, administrative jurisdiction of the land shall revert to the Department of the Interior.

(c) DESCRIPTION OF THE LAND.—The land referred to in subsection (a) is a plot of fenced land equaling 9.888 acres containing buildings, structures, fixtures, equipment, and other improvements affixed to or resting upon the land, and has the following legal description:

106 STAT. 1764

PUBLIC LAW 102-393—OCT. 6, 1992

The tract of land located just west of Road No. 604 about one mile south of Front Royal, Warren County, Virginia, and bounded as follows:

Beginning at (1) a monument in the line of the land of Lawson just west of Road No. 604; thence with the land of Lawson, and then with a new division line through the land of Shenandoah National Park north 59 degrees 45 minutes 38 seconds west 506.05 feet to (2) a Concrete Monument set, said point being north 59 degrees 45 minutes 38 seconds west 9.26 feet from a monument to a corner to the land of Lawson; thence with another new division line through the land of Shenandoah National Park north 31 degrees 31 minutes 00 seconds east 1206.07 feet to (3) a Concrete Monument set in the line of the land of the United States Government; thence with the land of the United States Government for the following two courses: south 07 degrees 49 minutes 31 seconds east 203.98 feet to (4); thence south 09 degrees 10 minutes 06 seconds east 27.79 feet to (5) a corner between the land of the United States Government and the land of United States Customs Service Detector Dog Training Center, thence with 282.896 acre tract of land of United States Customs Service Detector Dog Training Center for the following six courses: south 10 degrees 38 minutes 32 seconds east 152.47 feet to (6); thence south 00 degrees 48 minutes 32 seconds west 127.52 feet to (7); thence south 08 degrees 25 minutes 46 seconds west 422.15 feet to (8); thence south 14 degrees 37 minutes 16 seconds west 106.47 feet to (9); thence south 27 degrees 13 minutes 28 seconds west 158.11 feet to (10); thence south 38 degrees 17 minutes 36 seconds west 146.44 feet to the point of beginning, containing 9.888 acres, more or less.

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106 STAT. 1791

This Act may be cited as the “Treasury, Postal Service, and General Government Appropriations Act, 1993”.

Approved October 6, 1992.

LEGISLATIVE HISTORY—H R. 5488:

HOUSE REPORTS: Nos. 102-618 (Comm. on Appropriations) and 102-919 (Comm. of Conference).

SENATE REPORTS: No. 102-353 (Comm. on Appropriations).

CONGRESSIONAL RECORD, Vol. 138 (1992):

July 1, considered and passed House.

Sept. 9, 10, considered and passed Senate, amended.

Oct. 1, House and Senate agreed to conference report.

WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS, Vol. 28 (1992):

Oct. 6, Presidential statement.